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MEMORANDUM

TO: Docket Control

FROM: Ernest G. Johnson
Director
Utilities Division

EA for EGT

Arizona Corporation Commission

DOCKETED

APR 23 2009

DATE: April 23, 2009

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| DOCKETED BY | <i>MJ</i> |
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RE: IN THE MATTER OF THE APPLICATION OF RSM COMMUNICATIONS LTD. FOR AUTHORITY TO CANCEL ITS CERTIFICATE OF CONVENIENCE AND NECESSITY ("CC&N") FOR CUSTOMER OWNED PAY TELEPHONE SERVICES (DOCKET NO. T-02930A-09-0151)

On March 25, 2009, RSM Communications Ltd. ("RSM" or "Applicant" or "Company") filed an application with the Arizona Corporation Commission ("Commission") to cancel its Certificate of Convenience and Necessity ("CC&N") to provide customer owned pay telephone ("COPT") service. The Commission granted RSM Communications LTD. a CC&N to provide COPT service in Decision No. 59244, dated August 30, 1995.

Staff contacted the Applicant, W.B. Marshall, via telephone and verified that he is the person authorized to make the application. The Applicant stated that the Company no longer provides COPT service in the state of Arizona. According to the application, the Applicant has not waived the right to a hearing and has not waived the right to receive notices of a hearing in order to cancel the CC&N. However, the Applicant confirmed during the same telephone call on April 17, 2009 that the Company does not wish to participate in a hearing.

The Compliance Section of the Utilities Division indicates that the Applicant does not have any outstanding compliance issues that need to be addressed with the Commission. The Consumer Services section of the Utilities Division indicates that no complaints, inquiries or opinions have been filed against the Company for the period of January 1, 2006 to current. The Corporations Division reports that RSM is in good standing.

Staff recommends that the application to cancel the CC&N be approved. Upon cancellation of its CC&N, the Applicant will not be authorized to provide COPT telecommunications services in the state of Arizona. Therefore the Applicant will not be subject to any of the requirements of Decision No. 59244.

EGJ:JCM:red

Originator: Juan C. Manrique

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Docket No. T-02930A-09-0151

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